

ORAL ARGUMENT NOT YET SCHEDULED
IN THE
UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Constellation Mystic Power, LLC,)	
)	
<i>Petitioner,</i>)	
)	
v.)	No. 23-1189
)	
Federal Energy Regulatory)	
Commission,)	
)	
<i>Respondent.</i>)	
)	

UNOPPOSED MOTION FOR VOLUNTARY DISMISSAL

Under Federal Rule of Appellate Procedure 42(b), Petitioner Constellation Mystic Power, LLC (“Mystic”) hereby moves for voluntary dismissal of its petition for review in Case No. 23-1189. Mystic has paid the filing fee and there have been no costs incurred in this case.

A new rehearing order from FERC, issued October 6, has removed the need for Mystic to pursue this appeal.

The certified index to the record has not yet been filed in No. 23-1189, the parties have not submitted a proposed briefing schedule, no briefs have been submitted, and the Court has not yet scheduled oral argument. Counsel for Petitioner has contacted counsel for FERC and is authorized to represent that FERC consents to dismissing No. 23-1189.

Dated: October 10, 2023

Respectfully submitted,

/s/ Matthew A. Fitzgerald

Matthew A. Fitzgerald
McGUIREWOODS LLP
Gateway Plaza
800 East Canal Street
Richmond, VA 23219
T: (804) 775-4716
F: (804) 698-2251
mfitzgerald@mcguirewoods.com

Noel H. Symons
Katlyn A. Farrell
McGUIREWOODS LLP
888 16th Street NW, Suite 500
Washington, D.C. 20006
T: (202) 857-2929
F: (202) 828-2992
nsymons@mcguirewoods.com
kfarrell@mcguirewoods.com

*Counsel for Constellation Mystic
Power, LLC*

CERTIFICATE OF COMPLIANCE

This motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2) because it contains 119 words, excluding the parts exempted by Fed. R. App. P. 32(f).

This motion complies with the typeface and type-style requirements of Fed. R. App. P. 32(a)(5) and Fed. R. App. P. 32(a)(6) because the motion has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Times New Roman font.

/s/ Matthew A. Fitzgerald

Matthew A. Fitzgerald

*Counsel for Constellation
Mystic Power, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on October 10, 2023, I filed the foregoing with the Clerk of the United States Court of Appeals for the District of Columbia Circuit using the appellate CM/ECF system, which will send a notification of electronic filing to all counsel of record who are registered CM/ECF users.

/s/ Matthew A. Fitzgerald

Matthew A. Fitzgerald

*Counsel for Constellation
Mystic Power, LLC*